

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

Rural Development Department – Micro Finance Institutions cases – Special Leave Petition (Civil)8688-8692 of 2011 filed by M/s SKS Micro Finance Ltd. – Engaging the services of Sri Prashanth Bhushan, Senior Advocate to represent in the SLP(Civil) No.8688-8692 of 2011 before the Supreme Court of India, on behalf of the Government of Andhra Pradesh – Post-Fact approval – Accorded – Orders – Issued.

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PANCHAYAT RAJ AND RURAL DEVELOPMENT (RD.III) DEPARTMENT

G.O.Rt.No. 1620

Dated: 02-11-2011.  
Read the Following

1. G.O.Ms.No.82, Law(N)Dept., Dated:14-06-1996.
  2. G.O.Ms.No.200, Law(N)Dept. Dated:14-10-1996.
  3. Govt. Letter No.12/peshi/MFI/2011, Dt:17-05-2011 addressed to Sri Prashanth Bhushan, Sr. Advocate, Noida, Uttar Pradesh.
  4. Letter.No.30, Peshi RD/MFI/2011, 4-8-2011 addressed to the Advocate on Record Govt. of AP, New Delhi
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ORDER:

In order to check the exploitation of the rural and urban poor by the Micro Finance Institutions (MFIs) for charging usurious interest rates and coercive means of recovery, Government have notified the Andhra Pradesh Micro Finance Institutions (Regulation of Money Lending) Ordinance (Andhra Pradesh Ordinance No.9 of 2010) vide G.O. Ms.No.356, PR & Rd(RD.I)Dept. dt:19-10-2010. Later a Bill to protect the women Self Help Groups from the exploitation by the Micro Finance Institutions in the State of Andhra Pradesh and for the matters connected therewith or incidental thereto after got passed in the legislature, the Bill got enacted and published in the AP Gazette for general information vide ACT No.1 of 2011, Dt:01-01-2011.

2. While the above process was going on, certain Micro Finance Institutions have filed Writ Petitions in WP. NO.25891/2010 and batch before the High Court challenging the validity of the provisions of the Andhra Pradesh Micro Finance Institutions(Regulation of Money Lending) Ordinance 2010 and the High Court in its interim order in WPMP.No.33058/2010 Dt:22-10-2010 directed the petitioner to apply for registration in the prescribed proforma within one week and further directed the respondents to pass appropriate orders within the period stipulated in the Rules, pending registration of the petitioners under the impugned Ordinance, they shall be free to carry on their business, of course by due adherence to section 9 and 16 of the impugned Ordinance, returns whereof shall be filed by them after every 48 hours with the respective authority prescribed for registration under the Ordinance.

3. M/s SKS Micro Finance Ltd. have filed SLP(Civil) No.8688-8692 of 2011 before the Supreme Court of India against the interim orders of Hon'ble High Court of AP dt:22-10-2010 in WPMP. No.33058/2010 in WP.No.25891/2010; and batch and the case was posted in the 3<sup>rd</sup> week of July 2011. In view of the urgency and importance of the case, Senior Advocate, Sri Prashanth Bhushan was requested to represent on behalf of the Govt. of AP in the SLP(Civil) No.8688-8692 of 2011 and the Advocate on Record was requested to engage the services of Senior Advocate, Sri Prashanth Bhushan to represent in the said SLP on behalf of the Government of Andhra Pradesh.

4. Government after careful examination of the matter hereby accord post-facto approval for engaging the services of Sri Prashanth Bhushan, Senior Advocate to defend the interests of the Government in SLP(Civil) No.8688-8692 of 2011 filed by M/s. SKS Micro Finance Ltd. and also fix fee to the Senior Advocate as per GO.Ms.No.82, Law, Dt:14-06-1996 r/w. G.O.Ms.No.200, Law(N)Department, Dt:14-10-1996.

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5. The Chief Executive Officer, Society for Elimination of Rural Poverty, Hyderabad shall take necessary action for payment of the fee to the Senior Advocate Sri Prashanth Bhushan as per the orders issued in the references first and second read above.

6. This order issues with the concurrence of Law(N)Department vide their UO.No.5217/SLA&J/2011, Dt:29-09-2011.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

R.SUBRAHMANYAM  
PRINCIPAL SECRETARY TO GOVERNMENT (RD)

To

The Special Officer,

O/o Advocate-on Record (for the state of AP, AP Bhavan No.1,  
Asoka Road, New Delhi.

O/o the Advocate General,  
AP, Hyderabad.

O/o the Advocate on Record,  
Govt of AP, New Delhi.

The Chief Executive Officer,  
Society for Elimination of Poverty,  
Hyderabad.

Sri Prashanth Bhushan,  
Senior Advocate,  
Supreme Court of India,  
New Delhi.

**Copy to:**

The Law (N) Department.

The PS to Minister (IKP)

The PS to Prl. Secretary (RD)

The PR & RD (Genl) Department.

//FORWARDED :: BY ORDER//

SECTION OFFICER